

IT IS SO ORDERED.

Dated: 12:10 PM August 25 2010



THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
AKRON DIVISION

In Re:	)	Case No.: 08-53196
	)	
KENNETH ROSSEVELT SNEED,	)	Chapter 13
	)	
Debtor.	)	Judge Marilyn Shea-Stonum
	)	
	)	<u>ORDER GRANTING MOTION OF</u>
	)	<u>CAPITAL ONE AUTO FINANCE</u>
	)	<u>FOR RELIEF FROM STAY</u>
	)	
	)	<u>2007 DODGE MAGNUM;</u>
	)	<u>VIN: 2D4FV47VX7H713050</u>

This matter came before the Court on the Motion for Relief from Stay (the "Motion") filed by Capital One Auto Finance ("Movant"). (Doc. No. 37). Movant has alleged that good cause for granting the Motion exists, and that Debtor, counsel for the Debtor, the Chapter 13 Trustee, and all other necessary parties were served with the Motion, and with notice of the hearing date on the Motion. No party filed a response or otherwise appeared in opposition to the Motion, or all responses have been withdrawn. For these reasons, it is appropriate to grant the relief requested.

IT IS, THEREFORE, ORDERED that the Motion is granted. The automatic stay

imposed by § 362 of the Bankruptcy Code is terminated with respect to the Movant, its successors, and assigns.

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall discontinue all payments to Movant on its claim under the Chapter 13 Plan filed by the Debtor. Movant is directed to file a report of sale promptly following liquidation of the property: 2007 Dodge Magnum, VIN: 2D4FV47VX7H713050 (the "Collateral") if any excess proceeds are received. Should Movant seek to file any unsecured deficiency claim, Movant shall do so no later than 90 days after this Order is entered. If the Collateral has not been liquidated, the deficiency claim is to be estimated.

###

**SUBMITTED BY:**

/s/ Alison A. Gill

Alison A. Gill: 0061710

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Attorneys for Movant

**SERVICE LIST**

Please serve copies of this Order for Relief from Stay to the persons listed below:

**ELECTRONIC MAIL:**

Alison A. Gill, Attorney for Movant  
655 Cooper Road  
Westerville, OH 43081

Anthony J. Costello, Attorney for Debtor  
2666 S. Arlington Road  
Akron, OH 44319-2010

Keith Rucinski, Ch. 13 Trustee  
One Cascade Plaza, Suite 2020  
Akron, OH 44308

Office of the U.S. Trustee  
200 Public Square, Suite 20-3300  
Cleveland, OH 44114

**ORDINARY MAIL:**

Kenneth Roosevelt Sneed

1009 Dietz Avenue  
Akron, OH 44301

# CERTIFICATE OF NOTICE

District/off: 0647-5  
Case: 08-53196

User: buehl  
Form ID: pdf739

Page 1 of 1  
Total Noticed: 2

Date Rcvd: Aug 25, 2010

The following entities were noticed by first class mail on Aug 27, 2010.

db +Kenneth Roosevelt Sneed, 1009 Dietz Avenue, Akron, OH 44301-1519  
cr +Capital One Auto Finance, P.O. Box 829009, Dallas, Tx 75382-9009

The following entities were noticed by electronic transmission.  
NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr U.S. BANK, N.A.

TOTALS: 1, \* 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 27, 2010

Signature:

